## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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CARROL B. MONTGOMERY and KENNETH PARKS, on Behalf of Themselves and All Others Similarly Situated,

Plaintiffs,

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RONALD BARON, LINDA S. MARTINSON, MORTY SCHAJA, NORMAN S. EDELCUP, CHARLES N. MATHEWSON, HAROLD W. MILNER, RAYMOND NOVECK, DAVID A. SILVERMAN, M.D., BARON CAPITAL GROUP, INC., BAMCO, INC. and JOHN DOE DEFENDANTS NO. 1 through 100,

Defendants.

Case No. <u>05 CV 0299</u>

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## NOTICE OF DISMISSAL

Pursuant to Fed. R. Civ. 41(a), plaintiffs hereby dismiss this action, which has not been certified as a class action, without prejudice.

Dated: April 5, 2005.

RESPECTFULLY SUBMITTED,

Perry Weitz \ Gary Klein (GK-5632)

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SO OR DERED: